

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF WEST VIRGINIA  
AT CHARLESTON

EMILY K. BRAXTON,

Plaintiff,

v.

Civil Action No. 2:13-26056

CHANDRA SMITH,

Defendant.

ORDER

The court having received the Proposed Findings and Recommendation ("PF&R") of United States Magistrate Judge Dwane L. Tinsley filed on April 10, 2014; and having reviewed the record in this proceeding; and there being no objections to the PF&R filed by either the defendant or the plaintiff; and it appearing proper so to do, it is ORDERED that the findings and conclusions made in the PF&R be, and they hereby are, adopted by the court.

It is, accordingly, ORDERED (1) that the United States of America be, and hereby is, substituted as the defendant in this case; and (2) that this action be, and hereby is, dismissed without prejudice.

The Clerk is directed to forward copies of this written

opinion and order to the plaintiff, all counsel of record, and the magistrate judge.

DATED: May 16, 2014



John T. Copenhaver, Jr.  
United States District Judge